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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 ARTHUR LEE GARRISON,

Case No. 3:17-cv-00391-MMD-WGC

7 Plaintiff,

ORDER

8 v.

9 A. GREGERSON, *et al.*,

10 Defendants.

11 *Pro se* Plaintiff Arthur Lee Garrison brings this action under 42 U.S.C. § 1983.  
12 Before the Court are three Reports and Recommendations (individually, “R&R” or  
13 “Recommendation”) of United States Magistrate Judge William G. Cobb (ECF Nos. 227,  
14 228, 230), recommending the Court deny several of Plaintiff’s motions for summary  
15 judgment for failure to carry his initial burden, dismiss certain defendants because Plaintiff  
16 has not served them, and deny several other motions regarding service of certain  
17 defendants as moot. Plaintiff had until November 30, 2020 to file an objection to the most  
18 recent R&R. (ECF No. 230.) To date, no objection to any of the three R&Rs has been  
19 filed. For this reason, and as explained below, the Court adopts the R&Rs, and will take  
20 all of the actions Judge Cobb recommends in them.

21 The Court “may accept, reject, or modify, in whole or in part, the findings or  
22 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party  
23 fails to object to a magistrate judge’s recommendation, the Court is not required to  
24 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas*  
25 *v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114,  
26 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and  
27 recommendations is required if, but *only* if, one or both parties file objections to the  
28 findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory

1 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no  
2 clear error on the face of the record in order to accept the recommendation.”).

3 Because there is no objection, the Court need not conduct de novo review, and is  
4 satisfied Judge Cobb did not clearly err. In the first R&R, Judge Cobb recommends the  
5 Court deny Defendants’ motion to dismiss Defendant Dr. Michael Koehn for lack of  
6 service (ECF No. 148) as moot because subsequent docket entries show he was served  
7 and filed a joinder to the answer. (ECF No. 227 at 2.) In the second R&R, Judge Cobb  
8 recommends the Court deny two identical ‘motions to dismiss the dismissal of’ Defendant  
9 Dr. Romeo Aranas because he has not been dismissed, and deny the second of the two  
10 motions as redundant. (ECF No. 228 at 2.) In the third R&R, Judge Cobb primarily  
11 recommends the Court deny three motions for summary judgment Plaintiff filed because  
12 he does not set forth each claim, defense, or part of a claim or defense, on which he  
13 seeks summary judgment, or otherwise meet his burden to show he is entitled to summary  
14 judgment. (ECF No. 230 at 5-7.) In that same R&R, Judge Cobb also recommends the  
15 Court dismiss Defendants Stoke and Smith because no proof of service has been filed  
16 for them, and issue a notice of intent to dismiss Defendant Dr. Schlauger because, while  
17 no proof of service has been filed for him, either, neither has a notice of the Court’s intent  
18 to dismiss him. (*Id.* at 2.) The Court agrees with Judge Cobb. Having reviewed the R&Rs  
19 and the record in this case, the Court will adopt the three R&Rs in full.

20 It is therefore ordered that Judge Cobb’s Reports and Recommendations (ECF  
21 Nos. 227, 228, 230) are accepted and adopted in full.

22 It is further ordered that Defendants’ motion to dismiss (ECF No. 148) is denied as  
23 moot.

24 It is further ordered that Plaintiff’s motions to ‘dismiss the dismissal of’ Dr. Aranas  
25 (ECF No. 198, 207) are denied.

26 The Clerk of Court is directed to strike the later-filed of those identical motions  
27 (ECF No. 207) as redundant.

1 It is further ordered that Plaintiff may not file redundant materials in the future.

2 It is further ordered that Defendants Stoke and Smith are dismissed from this case,  
3 without prejudice, for lack of service under Federal Rule of Civil Procedure 4(m).

4 It is further ordered that the Court will dismiss Defendant Dr. Schlauger under  
5 Federal Rule of Civil Procedure 4(m) if Plaintiff does not file proof that he has served  
6 Defendant Dr. Schlauger within 30 days of the date of entry of this order.

7 It is further ordered that Plaintiff's three dispositive motions (ECF Nos. 195, 218,  
8 219) are denied.

9 DATED THIS 1<sup>st</sup> Day of December 2020.

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MIRANDA M. DU  
13 CHIEF UNITED STATES DISTRICT JUDGE  
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